REMARKS/ARGUMENTS

With this Amendment, Applicant amends claims 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 19, 20 and 21 and adds new claims 25-38. No new matter is added. Therefore, claims 1-38 are all the claims currently pending in the application. Based on the foregoing amendments and the following remarks, Applicant requests reconsideration of the application and allowance of the claims.

I.   Rejection of Claims 1-4, 9-15 & 19-21 Under 35 U.S.C. § 101

Claims 1-4, 9-15 and 19-21 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Regarding claims 1 and 9, the Examiner alleges that the claim recitations "teach[] that a software contains a hardware, but that software cannot contain a hardware." (See pg. 2 of the Office Action) Applicant herein amends claims 1 and 9 and respectfully submits that these self-explanatory amendments overcome the rejection. Additionally, the Examiner alleges that claims 1-4, 9-15 and 19-21 recite "no physical transformation" and suggests that the claims fail to recite a practical application "established by a useful, concrete and tangible result." (See pgs. 2-3 of the Office Action)

With respect to the § 101 rejections of claim 1 and its dependent claims 2-4 as well as claim 12 and its dependent claims 13-15, Applicant herein amends claims 1 and 12 and points out that the claims recite statutory subject matter at least because the claims recite "permitting access to the selected segments of derivable content." Regarding the § 101 rejections of claim 9 and its dependent claims 10-11 as well as claim 19 and its dependent claims 20-21, Applicant points out that these claims are statutory and in compliance with the proper format required by the MPEP for computer program product claims on a computer readable medium as well as method claims at least because claims 9 and 19 requires "providing the user *the ability to access* the selected segments of" the "derivable content at a derived resource."

Based on at least the foregoing, Applicant respectfully requests the Examiner to reconsider and withdraw the § 101 rejection of claims 1-4, 9-15 and 19-21.

II.   Rejection of Claims 1-4, 9-15 & 19-21 Under 35 U.S.C. § 102

Claims 1-4, 9-15 and 19-21 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Chakrabarti et al. (U.S. Patent No. 6,389,436; hereinafter "Chakrabarti")

Claim 1 requires a computer program product for deriving content from a network resource, the computer program product comprising, *inter alia*, first instructions for segmenting information on the network resource to define segments of derivable content, second instructions for selecting one or more segments of the derivable content, third instructions for assigning a plurality of identifying attributes to each selected segment of the derivable content and fourth instructions for permitting access to the selected segments of derivable content based upon the identifying attributes.

Applicant submits that Chakrabarti does not teach or suggest the above recitations of amended claim 1. In contrast to claim 1, Chakrabarti is directed to enhanced hypertext categorization using hyperlinks. The background section of Chakrabarti explains that "[a]s the total amount of accessible information increases on the Web, the ability to locate specific items of information becomes more difficult." (Col. 1, lines 42-44) Chakrabarti explains that several search schemes used to locate specific items of information are problematic. For instance, Chakrabarti discusses that a text-based classifier classifies documents on the Web, which have hyperlinks, "based only on the text contained in the documents" and that the "hyperlinks are ignored by the text-based classifiers, although the hyperlinks contain useful information for classification." Chakrabarti further explains that "[v]aluable information in the vicinity of a hyperlinked document is lost upon a purely text-based classification" which ignores hyperlinks. (Col. 2, lines 28-42; Col. 9, lines 7-8) With this backdrop, Chakrabarti explains that it relates to "an improved classifier that can classify documents containing hyperlinks" "for efficient … information retrieval" of documents on the Web. (Col. 2, lines 1-3; Col. 3, lines 62-63)

In this regard, Chakrabarti discusses that a program referred to as a hypertext classifier 110 classifies documents containing hyperlinks. Chakrabarti explains that the hyperlink classifier 110 classifies a new document stored in a database 112 containing citations to and from other documents. Chakrabarti discusses that neighboring documents of the new document are then identified and that "[w]hen a new document is to be classified in a neighborhood, the

hypertext classifier 110 processes the new document and all documents in a neighborhood around the document through a text-based classifier." The hypertext classifier identifies the neighborhood of the new document to be classified and explains that the neighborhood could include "all documents to which hyperlinks (i.e., citations to and from other documents) in the new document point ... and all documents containing hyperlinks that point to the new document." (Col. 6, lines 28-42) Then for each document and each class, a probability vector is determined by the hypertext classifier 110 which contains a component identifying potential classes that a respective document may be classified (e.g., "news, entertainment, sports, business, or theater"). (Col. 6, lines 46-67, Col. 8, lines 1-4)

In the Office Action, the Examiner appears to rely on FIG. 1 of Chakrabarti as teaching instructions for segmenting information on a network resource.[1] Applicant notes that the Examiner has not explicitly stated exactly what is relied on in FIG. 1 of Chakrabarti as teaching the claimed network resource. To the extent that the Examiner is suggesting that a new document (on the Internet 104), to be classified by the hypertext classifier 110, corresponds to the claimed network resource, Applicant submits that Chakrabarti still does not teach or suggest all of the features of claim 1. Claim 1, as amended, recites first instructions for segmenting information on a network resource to define segments of derivable content. Applicant submits that Chakrabarti does not teach or suggest this feature. Nowhere in Chakrabarti, and the Examiner cites to none, is there any teaching or suggestion relating to segmenting information on the new document. Instead, Chakrabarti, at best, discloses identifying neighboring documents, among documents on the Internet 104 that are located around the new document and are accessible via Web browser 108. (See paragraph 3 on pg. 3 of the Office Action in which the Examiner appears to concede that the neighborhood consists of "documents around the [new] document") As such, Chakrabarti, at best, discloses segmenting neighboring documents from among various documents on the Internet 104 located around the new document to be classified. There is no teaching or suggestion in Chakrabarti pertaining to segmenting information of the new document itself which defines segments of derivable content, as claimed.

Since Chakrabarti does not teach or suggest the claimed defined segments of derivable

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[1] See pg. 3 of the Office Action.

content, Chakrabarti also fails to teach or suggest selection of "one or more segments of *the derivable content*," which consists of segmented information on *the* network *resource*, as claimed. In contrast to claim 1, Chakrabarti, at best, discloses selecting one or more neighborhood documents, which is not obtained from segmented information of the new document, as discussed above. Applicant additionally submits that Chakrabarti fails to teach or suggest "assigning a plurality of identifying attributes to *each selected segment* of *the* derivable content," as claimed. The Examiner appears to rely on FIG. 11 of Chakrabarti as teaching or suggesting this feature. Quite the contrary, column 23, lines 23-51 of Chakrabarti, which relates to FIG. 11, explains that documents that cite or are cited by many documents may be regarded as similar. These common documents called "bridges" suggest that "two or more pages have the same class." FIG. 11 merely illustrates that a bridge connects two documents 1102 and 1104 because a document 1100 points to both 1102 and 1104. Even assuming *arguendo* that document 1102 is a "document to be classified" and document 1104 is a "classified document," as suggested by the Examiner,[2] the features of claim 1 are simply not taught or suggested by Chakrabarti. Column 6, lines 28-42, relied upon by the Examiner as teaching features of claim 1,[3] as well as column 23, lines 23-51 and FIG. 11 of Chakrabarti does not disclose any identifying attributes that are assigned to each selected segment of *the* derivable content obtained from segmenting information on the new document, as required by claim 1. Rather, "the text-based classifier [of the hypertext classifier 110] assigns a probability vector to each document," i.e., the new document and the neighborhood documents, in order to classify each document. (Col. 6, lines 46-49) (emphasis added) The interrelationship of claim elements is simply not met by Chakrabarti.

For at least the foregoing reasons, Chakrabarti fails to teach each and every element of claim 1. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 102(b) rejection of claim 1 and its dependent claims 2, 3 and 4.

Since claim 12 contains features that are analogous to, though not necessarily coextensive with, the features recited in claim 1, Applicant submits that claim 12 and its dependent claims 13, 14, and 15 are patentable at least for the reasons submitted for claim 1.

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[2] See pg. 4 of the Office Action.
[3] See pgs. 3-4 of the Office Action.

Given that claims 9 and 19 contain features that are analogous to, though not necessarily coextensive with, the features recited in claim 1, Applicant submits that claim 9 and its dependent claims 13, 14, and 15 as well as claim 19 and its dependent claims 20 and 21 are patentable at least for the reasons submitted for claim 1. Moreover, Applicant submits that nowhere in Chakrabarti is there any teaching or suggestion, and the Examiner cites to none, relating to "providing the user the ability to access the selected segments of the derivable content at *a derived resource*, wherein, *upon access to the derived resource*, information included in each of the segments of derived content corresponds to *current information at the network resource* from which the segment was derived," as recited by claims 9 and 19. Applicant points out that the Examiner has not pointed out any device of Chakrabarti which provides a user the ability to access the selected segments of derivable content that is obtained from the segment information on a network resource. There is no teaching or suggestion in Chakrabarti relating to information in each segment of the derived segment corresponding to current information at the network resource from which the segment was derived, as claimed. Assuming *arguendo* that the Examiner is suggesting that the neighboring documents corresponds to the claimed selected segments, and even assuming *arguendo* that the neighboring documents contain a citation to the new document, there is no teaching or suggestion in Chakrabarti that each neighboring document corresponds to current information at the new document. Chakrabarti is silent regarding any linkage between the neighboring documents and the new document that is tied to current information at the new document. Even if it were assumed in this case that information is changed dynamically at the new document, there is no teaching or suggestion in Chakrabarti that the neighborhood documents correspond to the current information of the new document.

Based on at least the foregoing reasons, Chakrabarti fails to teach or suggest each and every feature of claims 9 and 19. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 102(b) rejection of claim 9 and its dependent claims 10 and 11 as well as claim 19 and its dependent claims 20 and 21.

III. New Claims

Applicant has added new claims 25-38 to more fully cover various aspects of Applicant's invention as disclosed in the specification. In addition to their respective dependencies from

claims 1, 9, 12 and 19, Applicant respectfully submits that claims 25-38 should be allowable because the cited references do not teach or suggest the recitations of these claims.

IV.   **Conclusion**

In view of the foregoing remarks, Applicant respectfully submits that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Alam is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

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Respectfully submitted,

/Guy R. Gosnell/

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